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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 5321of 2007

PETITIONER Bansant Kumar Das, S/o. Shri Dwarika Das, aged about 38 years, Assistant Teacher, Guru Ghasidas Govt. H.S. School – Kohka – Bhilai, Distt. - Durg (C.G).

Versus

RESPONDENTS

1. State of Chhattisgarh, Through – The Secretary, Education Department, D.K.S. Bhawan, Raipur (C.G.)
2. The Director, Public Instruction Department, Chhattisgarh Govt. Raipur
3. District Education Officer Durg, Distt. Durg (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Vipin Tiwari, counsel for the petitioner.

Shri Yashwant Singh, Govt. Advocate for the State, on advance copy.

ORAL ORDER
(14.09.2007)

SUNIL KUMAR SINHA, J.

Heard finally with the consent of the parties.

Learned counsel for the petitioner submits that the petitioner is working as an Assistant Teacher. He also submits that according to circular dated 20.1.1987 issued by the School Education Department of the erstwhile State of Madhya Pradesh, the case of the petitioner should have been considered for promotion but it has not been considered so far. The copy of circular has been filed as Annexure-P/5. For the time being, he makes a limited prayer that he may be permitted to file a representation before the concerned authority and the concerned authority may be directed to dispose of his representation in light of the circular dated 20.1.1987 issued by the Government within stipulated period granted by this Court. He also submits that in similar matters, this Court issued the directions for deciding the representation by the Government. The copy of one of such matter has been filed as Annexure-P/7.

This limited prayer made by learned counsel for the petitioner is not opposed by learned counsel for the State.

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Considering the facts and circumstances of the case, it is directed that if so advised, the petitioner may file a detailed representation before the concerned authority within a period of 15 days from today along with copy of this order and copy of writ petition and if such a representation is filed, the concerned authority shall dispose of the same within a period of 3 months from the date of filing of representation in accordance with Rule.

The petition stands finally disposed of.

Sd/-
Sunil Kumar Sinha
Judge

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